

Message

From: Tomiak, Robert [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E43D67FE354A4D06BE80AFA6EB65E614-TOMIAK, ROB]
Sent: 4/7/2017 10:22:25 AM
To: Marshall, Tom [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5d29134e5e32489b9ab0aeb262f55075-TMARSHAL]; Knight, Kelly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=47fc4b0c90f94826a1d9a48381f4009f-Knight, Kel]
Subject: Re: Rosemont Mine

Who is acting for you all today?

Rob

On Apr 6, 2017, at 7:42 PM, Marshall, Tom <marshall.tom@epa.gov> wrote:

On the "never a dull moment" front, this just in from Kathy. I was planning on talking to you tomorrow about this, but since Kathy passed along written confirmation below re: USFS going to ROD in 30 days, I don't want to sit on this for a second. I.e., Rosemont is now in crunch-time mode. Let's discuss tomorrow; lots of moving pieces. And Elaine's around.

In a nutshell, I think the issue all this tees up for us, practically speaking, is does EPA now comment on the USFS FEIS from a year-plus ago, which we held off commenting on (and what exactly do we say, of course). Or alternatively, do we simply not comment and leave the admin record alone, leaving our EU-3 on the draft sitting out there. But do get back to enjoying a victory lap in Olympic Stadium on the FERC letter before you spend another second thinking about tomorrow's work. Go NCD/OFA/OECA.

From: Goforth, Kathleen
Sent: Thursday, April 06, 2017 7:18 PM
To: Marshall, Tom <marshall.tom@epa.gov>; Suriano, Elaine <Suriano.Elaine@epa.gov>; Knight, Kelly <knight.kelly@epa.gov>
Subject: FW: Rosemont Mine

Tom, Elaine –

It was good to talk with both of you this afternoon (Kelly, sorry I missed you). See bottom of this email chain for the message that I mentioned our Acting RA Alexis Strauss received today from Forest Service about restarting the referral clock. **Alexis will call Cal Joyner at Forest Service tomorrow** and I'll let you know the outcome. Our senior management requests that she be afforded a chance to have that conversation before any other steps are taken on this matter.

Thanks –

-Kathy

Kathleen Martyn Goforth, Manager
Environmental Review Section (ENF-4-2)
U.S. Environmental Protection Agency, Region 9
75 Hawthorne Street
San Francisco, CA 94105
415-972-3521

From: Johnson, Kathleen
Sent: Thursday, April 6, 2017 3:05 PM

To: Strauss, Alexis <Strauss.Alexis@epa.gov>; Quast, Sylvia <Quast.Sylvia@epa.gov>; Torres, Tomas <Torres.Tomas@epa.gov>

Cc: Miller, Amy <Miller.Amy@epa.gov>; Goforth, Kathleen <Goforth.Kathleen@epa.gov>; Brush, Jason <Brush.Jason@epa.gov>

Subject: RE: Rosemont Mine

As you know, we held bi-weekly calls with all of the federal agencies on this project for months. CEQ was interested in making sure the various agency actions coincided, so that we would not be put in the position of reacting to the Forest Service ROD before we potentially elevated the Army Corp permit. (The FS ROD is essentially meaningless if the proponent is not grant a permit from the Corp.) The FS has been interested in getting their ROD out just to clear their books of this – there is no other compelling reason for them to move to ROD at this juncture. I spoke with Ted Boling at CEQ just a few days ago and he seemed to express some frustration that the FS was of a mind to go forward with the ROD for no other compelling reason than to close this out.

Importantly, we had been told by Ted's predecessor that CEQ would start the 30 clock on the FS ROD and the FS could not start the clock on its own. The multi-agency discussions were initiated by CEQ in an effort to avoid a decision to refer under NEPA. Therefore, the clock was held in abeyance while these discussions went forward. If the Forest Service does send the letter, we need to figure out from CEQ if a clock is actually ticking.

This is particularly frustrating in light of the fact that there is a multi-agency meeting scheduled for April 18 – at the Army Corp's request --to go over any new/additional information that Hud Bay may have sent in.

Kathleen H. Johnson
Director, Enforcement Division
U.S. EPA - Region 9
75 Hawthorne Street ENF-1
San Francisco, CA 94015
415/972-3873
johnson.kathleen@epa.gov

From: Strauss, Alexis

Sent: Thursday, April 6, 2017 1:12 PM

To: Quast, Sylvia <Quast.Sylvia@epa.gov>; Torres, Tomas <Torres.Tomas@epa.gov>; Johnson, Kathleen <Johnson.Kathleen@epa.gov>

Cc: Miller, Amy <Miller.Amy@epa.gov>

Subject: Fwd: Rosemont Mine

FYI, I shall call him

Sent from my iPhone

Begin forwarded message:

From: "Joyner, Calvin -FS" <cjoyner@fs.fed.us>

Date: April 6, 2017 at 4:01:55 PM EDT

To: "Strauss.alexis@epa.gov" <Strauss.alexis@epa.gov>

Subject: Rosemont Mine

Ms. Strauss: I would like to speak to you about the status of the Rosemont ROD. I promised your predecessor that we would provide a 30 day notice to EPA before

signing the ROD. A letter to that effect will be in the mail to you tomorrow.
Please call me if you have questions or if I can be of assistance.

Cal Joyner
Regional Forester
Southwestern Region
USDA Forest Service
505 842-3300
505 206-8781 (cell)

Sent from my iPhone

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